

REMARKS

Reconsideration of the above application is requested.

Claims 10, 12, 13, 29, 30, 39 and 41 – 44 have been withdrawn from consideration.

Claims 6, 7, 36 and 37 have been rejected under 35 U.S.C. 112, second paragraph, for being indefinite. These claims have been cancelled.

Claims 1, 2, 4, 6, 7, 31, 32, 34, 36, 37, 40 and 45 have been rejected as being unpatentable over Weiderseim, U.S. Patent No. 956,916 (Weiderseim) in view of Engelhardt U.S. Patent No. 4,681,253 (Engelhardt).

The Weiderseim reference discloses a display card with movable leaves. The background view is interchangeable as well as the front leaf portion. The front leaf portion must be aligned with the back leaf portion or background in order to have order and conformity in the view of the display card. In the presently claimed invention, there is no movement of one leaf or another in order to align or confirm a view. The arrangement of the first side panel and back section of the currently claimed invention provides for a three-dimensional artwork and display. The Weiderseim reference does not disclose a plastic or acetate sheet in a cutout window. In the claimed invention, the acetate sheet or plastic actually contains artwork or an image. These differences, taken alone or in combination, would not lead one skilled in the art to the presently claimed invention. The presently claimed invention does not have a back section which is slidably movable. The presently claimed invention has a plastic or acetate sheet in a cutout window which provides a view. Clearly, one skilled in the art would not look to the Weiderseim reference to construct the present invention.

The Engelhardt reference describes a photo mailer wherein a plastic sheet covers a front opening for viewing a photograph inside the front opening and an intermediate wall. The device can be supported by the front wall and a back wall when open. It is a three-leaf folder. As presently claimed, the present invention contains a first side panel and a back section wherein the first panel is folded over the back section and engages the back section. The first panel has a viewing section comprising a die cut window containing a plastic sheet for viewing the back section when the back section may have an image therefore providing a three-dimensional piece. In the Engelhardt reference, the back wall is not part of the view through the window in the front wall for it is obstructed by a middle wall containing

Appl. No.

the photograph. There is no artwork or image on the back wall 16 of the Engelhardt reference. Clearly, the Engelhardt reference cannot teach or suggest the presently claimed invention nor would anyone skilled in the art combine the references to arrive at the present invention.

With respect to claims 2 and 32, the Weiderseim reference does show an image on the back wall, but it is a movable back wall, which is not taught by the present invention.

With respect to claims 7 and 37, the claims teach that the arrangement of the presently claimed invention is a three-dimensional one. This feature is not noted in the Weiderseim nor Engelhardt references taken singly or in combination.

With respect to claims 9, 11, 38 and 40, the claims are not rendered obvious by the Weiderseim in view of the Engelhardt references nor further in view of the Murrell U.S. Patent No. 4,237,633 (Murrell).

The Murrell reference adds nothing to the combination of Weiderseim and the Engelhardt references. The Murrell reference merely shows serrations on a photograph holder or postcard which allow the removable of a tab so that a photograph may be placed on adhesive under the area where the tab was removed. There are different dimensions in the placement of the tabs and adhesive material to allow for the placement of a variety of sizes of photographs. In the present invention, however, tabs are not used to designate areas for removal of portions of the back wall and front panel of the device which bind the wall together. Upon removable of the material at the dotted lines, the presentation apparatus of the present invention may be open and displayed. In distinction, the dotted lines of the Murrell reference do not describe articles that function the same. Clearly, one skilled in the art would not be led to the presently claimed invention by the teachings of the Murrell reference either alone or in combination with the teaching of the Weiderseim or Engelhardt references.

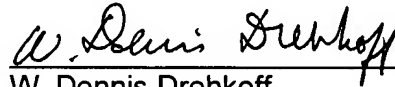
Claims 3, 5, 33 and 35 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent format. Claims 3, 5, 33 and 35 have been rewritten and are noted herein. Claim 3 has been rewritten with the limitations to claim 3 and claim 2. Claim 5 has been rewritten with the limitations of claim 4. Claim 33 has been rewritten with the limitations of claim 32. Claim 35 has been rewritten with the limitations of claim 34. The intervening

Appl. No.

claims noted, provide limitations to the claims objected to. It is believe that claims 3, 5, 33 and 35 are now in condition for allowance.

All the claims now meet the requirements of 35 U.S.C. § 112 and § 103. Therefore, an early notice of allowance for the above application is respectfully requested.

Respectfully submitted,

A handwritten signature in cursive script, reading "W. Dennis Drehkoff", is written over a horizontal line.

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